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FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/039,799	
	Filing Date	January 4, 2002	
	First Named Inventor	James Bruce Pitner	
	Art Unit	1654	
	Examiner Name	Teller, R.	
Total Number of Pages in This Submission	13	Attorney Docket Number	0709.018.0002

ENCLOSURES (Check all that apply)						
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): _____				
<table border="1"><tr><td>Remarks</td><td>This submission is in response to the Notice of Non-Compliant Amendment, mailed August 2, 2004.</td></tr><tr><td colspan="2">It is not believed that any extensions of time are needed, beyond those that may have been provided in the Response to Office Action, dated July 21, 2004. If, however, additional extensions of time are necessary to avoid abandonment, then extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required, including fees for net addition of claims, are hereby authorized to be charged to account number 50-3120.</td></tr></table>			Remarks	This submission is in response to the Notice of Non-Compliant Amendment, mailed August 2, 2004.	It is not believed that any extensions of time are needed, beyond those that may have been provided in the Response to Office Action, dated July 21, 2004. If, however, additional extensions of time are necessary to avoid abandonment, then extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required, including fees for net addition of claims, are hereby authorized to be charged to account number 50-3120.	
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Todd B. Buck; Reg. No. 48,574
Signature	
Date	August 18, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Todd B. Buck		
Signature		Date	August 18, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Atty. Dkt. No. 0709.018.0002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Pitner *et al.*

Appl. No. 10/039,799

Filed: January 4, 2002

For: Binding Protein as Biosensors

Art Unit: 1654

Examiner: Teller, R.

Atty. Docket: 0709.018.0002

Reply and Amendment under 37 C.F.R. §§1.111 and 1.121 and Reply to Notice of Non-Compliant Amendment

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This reply and amendment is submitted under 37 C.F.R. §§1.111 and 1.121 and is responsive to the Office Action mailed April 22, 2004, as well as the Notice of Non-Compliant Amendment, mailed August 2, 2004.

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.